

This is not a suggestion of how to proceed or a guideline, but instead is a directive that an application claiming "a process and apparatus or means specifically designed for carrying out the .. process" has unity of invention. There is nothing in this rule saying that if it is difficult to search the method and apparatus or that if the application were a non-PCT case it could be subjected to a restriction requirement, the rule is waived. Instead this is the rule for PCT cases, which we have here. This application falls directly within it so that the method and apparatus claims are properly left in the case.

If the examiner is of a different opinion, he is requested to cite the part of the CFR that overrules this explicit rule.

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